

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

BERNARD J. LAVERTY, JR.,

Plaintiff

v.

DAVID G. MASSAD, DAVID
MANDARA, MARCELLO MALLEGNI,
BRENDA L. MALLEGNI, SUSAN
ALDEN, DAVID KOZIK, MICHAEL
NORRIS, JANE NORRIS, HEIDI
NORRIS, WILLIAM DEPIETRI,
COMMERCE BANK AND TRUST
COMPANY, LBM FINANCIAL LLC,
WOLFPEN FINANCIAL LLC, and
STONE SERVICES, INC.,

Defendants

Civil Action
No. 4:08 CV 40126 FDS

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to the provisions of Fed. R. Civ. P. 41(a)(1)(ii), all parties, by their attorneys, hereby stipulate and agree that this action shall be, and hereby is, dismissed with prejudice and without settlement payment, costs or attorneys' fees. Each party waives all rights of appeal in connection with this matter.

Respectfully submitted,

BERNARD LAVERTY,

By His Attorney,

/s/ Ronald W. Dunbar, Jr.

Ronald W. Dunbar, Jr. (BBO #567023)

Dunbar Law PC

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Respectfully submitted,

MICHAEL J. NORRIS

By his counsel,

/s/ Robert A. McCall

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Respectfully submitted,

DAVID G. MASSAD and DAVID MANDARA

By their counsel,

/s/ David H. Rich

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Respectfully submitted,

LBM FINANCIAL, MARCELLO
MALLEGNI,
BRENDA MALLEGNI, DAVID
KOZIAK, WOLFPEN FINANCIAL, LLC,
SUSAN ALDEN and STONE SERVICES,
INC.

By their counsel,

/s/ Evans Carter

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Dated: March 3, 2010

CERTIFICATE OF SERVICE

I, Ronald W. Dunbar, Jr, Esquire hereby certify that on this date, March 3, 2010, I served the foregoing by causing a copy of same to be delivered by a true copy thereof, postage prepaid or by electronic notification where indicated, to all attorneys of record in this matter.

/s/ Ronald W. Dunbar, Jr